

ORDINANCE No. 08-21-18-01

AN ORDINANCE AMENDING THE JOHNSON COUNTY UNIFIED DEVELOPMENT  
ORDINANCE TO ADD SOIL EROSION AND SEDIMENT CONTROL AND TOPSOIL  
PRESERVATION REGULATIONS FOR SUBDIVISIONS, SITE PLANS, AND CERTAIN  
BUILDING PERMITS

**Section I. Purpose.** The purpose of this ordinance is to further the stated goals of the Johnson County 2018 Comprehensive Plan by adding soil erosion and sediment control and topsoil preservation regulations for subdivisions, site plans, and certain building permits.

**Section II. Amendments.**

- A. Article 8:1.20 is hereby amended by adding subsection 8:1.20(H) which reads as follows, and renumbering all other subsections accordingly.

**H. Soil Erosion and Sediment Control.** An approved soil erosion and sediment control plan shall be required for all plats, site plans, building permits for new dwellings, building permits for dwelling additions with a footprint of 1,000 square feet or greater, or building permits with a total ground disturbance area of greater than a quarter (1/4) acre.

Where an approved soil erosion and sediment control plan is required, the following general standards shall apply:

1. The owner shall bear final and complete responsibility for compliance with the approved soil erosion and sediment control plan, a State NPDES General Permit #2 as applicable, and any other requirement of State or Federal law or administrative rule.
2. In addition to local permitting, the applicant must comply with all other applicable State or Federal permit requirements in existence at the time of application.
3. Existing topsoil must be preserved and reapplied on site in a uniform uncompacted manner.
4. Effective erosion and sediment controls, temporary and permanent stabilization, pollution prevention, and/or best management practices must be designed, installed, and maintained onsite, in accordance with Iowa Statewide Urban Design and Specifications (SUDAS) standard design criteria as amended, to minimize the discharge of pollutants.
5. All temporary erosion and sediment controls shall be maintained until the site has been permanently stabilized.
6. A plan is not considered to be in conformance with this section unless it is approved by the Zoning Administrator.
7. A site is not considered to be in conformance with this section unless it is in conformance with the plan approved by the Zoning Administrator.

B. Article 8:1.22 is hereby amended by deleting subsection 8:1.22(B)(8)(c)(vi) in its entirety and replacing with the following:

- vi. The applicant shall have and comply with a stormwater management plan in conformance with subsection 8:1.20(G) and a soil erosion and sediment control plan in conformance with subsection 8:1.20(H) prior to approval.

C. Article 8:1.23 is hereby amended by deleting subsection 8:1.23(C)(3)(h) in its entirety and replacing with the following:

- h. A soil erosion and sediment control plan in conformance with subsection 8:1.20(H).

D. Article 8:1.23 is hereby amended by deleting subsection 8:1.23(E)(6) in its entirety and replacing with the following:


- 6. Environmental Standards. To receive approval, plats shall comply with the following environmental standards:
  - a. Stormwater Management. A stormwater management plan in conformance with subsection 8:1.20(G) shall be required.
  - b. Soil Erosion and Sediment Control. A soil erosion and sediment control plan in conformance with subsection 8:1.20(H) shall be required.
  - c. Sensitive Areas. The application shall conform to Chapter 8:3 of the Johnson County Unified Development Ordinance.


**Section III. Repealer.** All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section IV. Savings Clause.** If any section, provision, or part of this ordinance shall be adjudged invalid, illegal, or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged, invalid, illegal or unconstitutional.

**Section V. Effective Date.** This ordinance shall be in effect after its final passage and publication as part of the proceeding of the Board of Supervisors.

Date of publication:

  
Chairperson, Board of Supervisors  
Mike Carberry  
Johnson County, Iowa

  
Attest: Travis Weipert, Auditor  
Johnson County, Iowa